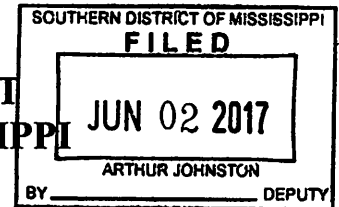


**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF MISSISSIPPI
SOUTHERN DIVISION**



DOUGLAS HANDSHOE

v.

VAUGHN PERRET, CHARLES LEARY &
DANIEL ABEL, D/B/A/ TROUT
POINT LODGE LTD OF NOVA SCOTIA
& IN THEIR INDIVIDUAL CAPACITIES
PROGRESS MEDIA GROUP LIMITED,
MARILYN SMULDERS & ASHOKA

CIVIL ACTION NO. 1:15cv382-HSO-JCG

**MOTION FOR AN EXTENSION OF TIME TO SERVE SUMMONS ON DEFENDANT
TROUT POINT LODGE, LTD**

Plaintiff Douglas Handshoe respectfully moves the Court for an extension of an additional three weeks of time in which to file the summons return for Trout Point Lodge, Limited of Nova Scotia.

For reasons more fully set out in the accompanying Memorandum in Support of this Motion Defendant Trout Point Lodge, Limited is a Canadian Limited Company with its registered office in Nova Scotia, Canada and it is not subject to the time limits for service of a summons contained in Federal Civil Procedure Rule 4(m). However, this Court in its sound discretion via order dated May 11, 2017 established a deadline for the return of the Trout Point Lodge, Ltd summons on June 2, 2017. Trout Point Lodge, Limited's registered office is located on a gated, private road within the larger Trout Point Lodge development, which was closed for the winter season on or about November 1, 2016 and was not scheduled to reopen until May 13, 2017.¹

¹ Please see Gillespie Affidavit at ECF 135-2 and Trout Point Lodge website printout at ECF 130-1.

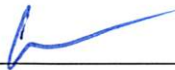
However, as is more fully explained in the Accompanying Memorandum in Support of this Motion, Plaintiff has been advised by his Nova Scotia Barrister Wayne S. Rideout, Esq, who engaged Garnet Horton, a Nova Scotia Provincial Civil Constable to serve the summons to Trout Point Lodge, Ltd. on Plaintiff's behalf, that Trout Point Road remains gated and posted despite the Defendants' advertisements that the Lodge is now open for business to the public. Mr. Rideout's Affidavit along with Attachments A through D is shown at Exhibit 1 accompanying this Motion.

Further, since the Defendants were certainly aware of this Court's order dated May 11, 2017 which established the June 2, 2017 return date, Defendant Trout Point Lodge, Ltd., via its Registered Agent/Instant Defendant Charles Leary, is most certainly deliberately evading service of process in order to defeat the Court's June 2, 2017 deadline for the filing of the return. These actions have also had the effect of increasing the Plaintiff's cost of litigation.

Any prejudice to the Defendants by the granting of the requested relief would be caused by the actions of the Defendants themselves in evading service upon Trout Point Lodge, Limited. This extension is not sought for delay or other improper purpose but so that justice may be accorded the parties.

In view of the foregoing, Plaintiff prays the Court would grant him a three weeks extension of time to serve the summons and file the return with this Court.

Respectfully submitted this 2nd day of June, 2017,

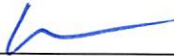


Douglas Handshoe, Plaintiff
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(601) 928-5380
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CERTIFICATE OF SERVICE

I, Douglas Handshoe, hereby certify that on June 2, 2017, the foregoing was sent for electronically filing by me via the Clerk of the Court using the ECF system which sent notification to all counsel of record upon filing by the Clerk.

Respectfully submitted this 2nd day of June, 2017,



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